| INFORMATION DISCLOSURE |
|---|
| STATEMENT BY APPLICANT |
| (Not for submission under 37 CFR 1.99) |

| Application Number | | 10519897 | | |
|------------------------|-------|--------------|--|--|
| Filing Date | | 2004-12-31 | | |
| First Named Inventor | Ingen | nar Starke | | |
| Art Unit | | 1624 | | |
| Examiner Name | Mark | L. Berch | | |
| Attorney Docket Number | | 133087.07001 | | |

| | | | | U.S. | PATENTS | Remove |
|----------------------|------------|--------------------------|---------------------------|---------------------|---|--|
| Examiner Initial* | Cite No | Patent Number | Kind Code ¹ | Issue Date | Name of Patentee or Applicant of cited Document | Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear |
| | 1 | 5306817 | | 1994-04-26 | Thiruvengadam et al. | |
| | 2 | 5846966 | | 1998-12-08 | Rosenblum et al. | |
| | 3 | 5767115 | | 1998-06-16 | Rosenblum et al. | |
| | 4 | 5631365 | | 1997-05-20 | Rosenblum et al. | |
| | 5 | 5739321 | | 1998-04-14 | Wu et al. | |
| | 6 | 5886171 | | 1999-03-23 | Wu et al. | |
| If you wis | h to a | dd additional U.S. Paten | t citatio | n information pl | ease click the Add button. | Add |
| | | | U.S.P | ATENT APPLI | CATION PUBLICATIONS | Remove |
| Examiner Initial* | Cite No | Publication Number | Kind Code ¹ | Publication Date | Name of Patentee or Applicant of cited Document | Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear |

/Mark Berch/ (02/05/2008)

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Not for submission under 37 CFR 1.99)

| Application Number | | 10519897 | | |
|------------------------|-------|--------------|--|--|
| Filing Date | | 2004-12-31 | | |
| First Named Inventor | Ingen | nar Starke | | |
| Art Unit | | 1624 | | |
| Examiner Name | Mark | L. Berch | | |
| Attorney Docket Number | | 133087.07001 | | |

| | 1 | | | | | | | |
|----------------------|---|-------------------------|--------------------------------|---------------|---------------------|---|---|----|
| If you wis | h to a | dd additional II S. Puh | lished Applica | tion citation | n information | please click the Add butt | on Add | |
| ii you ms | 11 10 01 | ad additional o.o. i al | | | ENT DOCUM | | Remove | |
| Examiner Initial* | Cite Foreign Document No Number ³ | | Country Code ² i | Kind Code4 | Publication Date | Name of Patentee or Applicant of cited Document | Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear | Т5 |
| | 1 | 0250060 | wo | | 2002-06-27 | Avantis Pharma Deutschland GMB | | |
| | 2 | 0250068 | wo | | 2002-06-27 | Aventis Pharma GMBH | | |
| | 3 | 0250027 | wo | | 2002-06-27 | Aventis Pharma GMBH | | |
| | 4 | 0218432 | wo | | 2002-03-07 | Aventis Pharma GMBH | | |
| | 5 | 02066464 | wo | | 2002-08-29 | Noda Atsushi et al. | | |
| | 6 | 524595 | EP | | 1993-01-27 | Schering Corporation | | |
| | 7 | 9414433 | wo | | 1994-07-07 | Schering Corporation | | |
| | 8 | 95/01961 | wo | | 1995-01-19 | Schering Corporation | | |

/Mark Berch/ (02/05/2008)

INFORMA STATEME (Not for subn

| TION DISCLOSURE | |
|----------------------------|--|
| NT BY APPLICANT | |
| nission under 37 CFR 1.99) | |

| Application Number | | 10519897 | | |
|-----------------------|-------|--------------|--|--|
| iling Date | | 2004-12-31 | | |
| irst Named Inventor | Ingen | nar Starke | | |
| rt Unit | | 1624 | | |
| xaminer Name Mark I | | L. Berch | | |
| ttorney Docket Number | | 133087.07001 | | |

| 9 | 9609827 | wo | 1996-04-04 | Pfizer Inc. | |
|----|----------------------|---------------|------------|----------------------|--|
| 10 | 9745406 | wo | 1997-12-04 | Schering Corporation | |
| 11 | 0020623 | wo | 2000-04-13 | Schering Corporation | |
| 12 | 0034240 | wo | 2000-06-15 | Schering Corporation | |
| 13 | 0038725 | wo | 2000-07-06 | G.D. Searle & Co. | |
| 14 | 0060107 | wo | 2000-10-12 | Schering Corporation | |
| 15 | 0063703 | wo | 2000-10-26 | Schering Corporation | |
| 16 | 02072104 | wo | 2002-09-19 | Merck & Co., Inc. | |
| 17 | 02058685 | wo | 2002-08-01 | Schering Corporation | |
| 18 | 02058696 | wo | 2002-08-01 | Schering Corporation | |
| 19 | 02058731 | wo | 2008-08-01 | Schering Corporation | |
| | Observe Consider 113 | concentration | | | |

MALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /MB/

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)

| Application Number | | 10519897 | | | |
|----------------------------|--|--------------|--|--|--|
| iling Date | | 2004-12-31 | | | |
| First Named Inventor Ingem | | nar Starke | | | |
| Art Unit | | 1624 | | | |
| Examiner Name Mark L | | L. Berch | | | |
| Attorney Docket Number | | 133087.07001 | | | |

| | | | | | | | | B . Oak | | |
|-----------------------|------------|--|--|----------|------------------|--|-------------|---------|--|--|
| | 20 | 02058732 | wo | | 2002-08-01 | Schering Corporation | | | | |
| | 21 | 02058733 | wo | | 2002-08-01 | Schering Corporation | | | | |
| | 22 | 02058734 | wo | | 2002-08-01 | Schering Corporation | | | | |
| | 23 | 02079174 | wo | | 2002-10-10 | Schering Corporation | | | | |
| | 24 | 02096415 | wo | | 2002-12-05 | Schering Corporation | | | | |
| | 25 | 03026644 | wo | | 2003-04-03 | Schering Corporation | | | | |
| If you wis | h to a | dd additional Foreign F | atent Document | citation | information p | lease click the Add button | Add | | | |
| | | | NON-PATEN | NT LITE | RATURE DO | CUMENTS | Remove | | | |
| Examiner Initials* | Cite No | | mal, serial, symp | osium, | catalog, etc), | the article (when appropr date, pages(s), volume-is | | T5 | | |
| | 1 | Clader et al., "2-Azetidinone Cholesterol Absorption Inhibitors: Structure-Activity Relationships on the Heterocyclic Nucleus," J. Med Chem (1996) 39:3684-3693. | | | | | | | | |
| | 2 | | McKittrick et al., "Stereoselective synthesis and biological activity of cis azetidinones as cholesterol absorption inhibitors, Bioorganic & Medicinal Chemistry Letters (1996) 6(16):1947-1950. | | | | | | | |
| | 3 | Burnett et al., "2-Azetidi | nones as Inhibitors | of Cho | lesterol Absorpt | tion," J. Med Chem (1994) 12 | :1733-1736. | | | |

/Mark Berch/ (02/05/2008)

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Not for submission under 37 CFR 1.99)

| Application Number | | 10519897 | | |
|------------------------|-------|--------------|--|--|
| iling Date | | 2004-12-31 | | |
| irst Named Inventor | Ingen | nar Starke | | |
| Art Unit | | 1624 | | |
| xaminer Name Mark I | | L. Berch | | |
| Attorney Docket Number | | 133087 07001 | | |

| | 4 | Casta | ner et al., "Ezetimit | oe," Drugs of | the Future (2000 | 0) 25(7):679-685. | | | |
|------------|--------|---|--|---------------|------------------|-------------------|-----------------------|---------------------------|--|
| | 5 | | ro et al., "Sugar-su gar," Bioorganic & | | | | | otency by modification of | |
| | 6 | Fu et al., "Process for preparing Ezetimibe intermediate by an acid enhanced chemo- and enantioselective CBS catalyzed ketone reduction," Tetrahedron Letters (2003) 44:801-804. | | | | | | | |
| | 7 | Kirkup et al., "(-)-SCH 57939: synthesis and pharmacological properties of a potent, metabolically stable cholesterol absorption inhibitor," Bioorganic & Medicinal Chemistry Letters (1996) 6(17):2069-2072. | | | | | | | |
| | 8 | Vaccaro et al., "Carboxy-substituted 2-azelidinones as cholesterol absorption inhibitors," Bioorganic & Medicinal Chemistry Letters (1998) 8:319-322. | | | | | | | |
| | 9 | Rosenblum et al., "Discovery of 1-(4-fluorophenyl)-(3R)-(3-(4-fluorophenyl)-(3S)-hydroxypropyl)-(4S)-(4-hydroxyphenyl)-2-azelfdinone (SCH 58235): a designed, potent, orally active inhibitor of cholesterol absorption.," J. Med Chem (1998) 41:973-980. | | | | | | | |
| | 10 | Wu et al., "A Novel One-Step Diastereo- and Enantioselective Formation of trans-Azeitdinones and its Application to the Total Synthesis of Cholesterol Absorption Inhibitors," J. Org. Chem (1999) 84:3714-3715. | | | | | | | |
| If you wis | h to a | dd add | tional non-patent | literature d | ocument citation | on information p | lease click the Add b | outton Add | |
| | | | | | EXAMINER S | SIGNATURE | | | |
| Examiner | Signa | ture | /Mark B | | Date Considered | | | | |

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through a citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ See Kind Codes of USPTO Patent Documents at www.USPTO.GOV or MPEP 901.04. ² Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). ³ For Japanese patent documents, the indication of the typer off the Emperor must precede the serial number of the plant document. ¹ Kind of document by the appropriate symbos as indicated on the document under WIPO Standard ST.16 if possible. ⁵ Applicant is to place a check mark here if Engish language translation is attached.